



General Assembly

February Session, 2018

Raised Bill No. 185

LCO No. 1268



Referred to Committee on EDUCATION

Introduced by:
(ED)

***AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE
EDUCATION AND EARLY CHILDHOOD STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of subsection (b) of section 10-16p of the
2 2018 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective from passage*):

4 (4) Any individual with an associate degree or a bachelor's degree in
5 early childhood education or child development or an associate degree
6 or a bachelor's degree and twelve credits or more in early childhood
7 education or child development from an institution of higher
8 education that is regionally accredited, other than an associate degree
9 or a bachelor's degree with a concentration in early childhood
10 education, may submit documentation concerning such degree for
11 review and assessment by the office as to whether such degree has a
12 sufficient concentration in early childhood education so as to satisfy
13 the requirements set forth in subparagraphs (B) and (C) of subdivision
14 (2) of this subsection.

15 Sec. 2. Subsection (b) of section 10-76pp of the 2018 supplement to
16 the general statutes is repealed and the following is substituted in lieu
17 thereof (*Effective from passage*):

18 (b) A local [and] or regional board of education and the Technical
19 Education and Career System shall use the digital individualized
20 education program form software when such software is provided by
21 the department, except as otherwise provided in subsection (c) of this
22 section.

23 Sec. 3. Subsection (a) of section 10-145t of the 2018 supplement to
24 the general statutes, as amended by section 196 of public act 17-2 of the
25 June special session, is repealed and the following is substituted in lieu
26 thereof (*Effective July 1, 2018*):

27 (a) For purposes of this section, "school support staff" means any
28 person employed by a local or regional board of education as a
29 behavior analyst or an assistant behavior analyst, as such terms are
30 defined in section 20-185i, an athletic coach, as defined in section 10-
31 149d, or a school paraprofessional.

32 Sec. 4. Subsection (a) of section 10-151d of the 2018 supplement to
33 the general statutes is repealed and the following is substituted in lieu
34 thereof (*Effective from passage*):

35 (a) There is established a Performance Evaluation Advisory Council
36 within the Department of Education. Membership of the council shall
37 consist of: (1) The Commissioner of Education and the president of the
38 Connecticut State Colleges and Universities, or their designees, (2) one
39 representative from each of the following associations, designated by
40 the association, the Connecticut Association of Boards of Education,
41 the Connecticut Association of Public School Superintendents, the
42 Connecticut Federation of School Administrators, the Connecticut
43 Education Association, the American Federation of Teachers-
44 Connecticut, [and] the Connecticut Association of School
45 Administrators and the Connecticut Association of Schools, and (3)

46 persons selected by the Commissioner of Education who shall include,
47 but need not be limited to, teachers, persons with expertise in
48 performance evaluation processes and systems, and any other person
49 the commissioner deems appropriate.

50 Sec. 5. Subsection (f) of section 10-206 of the 2018 supplement to the
51 general statutes is repealed and the following is substituted in lieu
52 thereof (*Effective from passage*):

53 (f) On and after October 1, 2017, each local or regional board of
54 education shall report to the local health department and the
55 Department of Public Health, on [an] a triennial basis, the total number
56 of pupils per school and per school district having a diagnosis of
57 asthma (1) at the time of public school enrollment, (2) in grade six or
58 seven, and (3) in grade ten or eleven. The report shall contain the
59 asthma information collected as required under subsections (b) and (c)
60 of this section and shall include pupil age, gender, race, ethnicity and
61 school. Beginning on October 1, [2004] 2017, and every three years
62 thereafter, the Department of Public Health shall review the asthma
63 screening information reported pursuant to this section and shall
64 submit a report to the joint standing committees of the General
65 Assembly having cognizance of matters relating to public health and
66 education concerning asthma trends and distributions among pupils
67 enrolled in the public schools. The report shall be submitted in
68 accordance with the provisions of section 11-4a and shall include, but
69 not be limited to, trends and findings based on pupil age, gender, race,
70 ethnicity, school and the education reference group, as determined by
71 the Department of Education for the town or regional school district in
72 which such school is located.

73 Sec. 6. Subsection (a) of section 10-220a of the 2018 supplement to
74 the general statutes is repealed and the following is substituted in lieu
75 thereof (*Effective from passage*):

76 (a) Each local or regional board of education shall provide an in-

77 service training program for its teachers, administrators and pupil
 78 personnel who hold the initial educator, provisional educator or
 79 professional educator certificate. Such program shall provide such
 80 teachers, administrators and pupil personnel with information on (1)
 81 the nature and the relationship of alcohol and drugs, as defined in
 82 subdivision (17) of section 21a-240, [and alcohol] to health and
 83 personality development, and procedures for discouraging their abuse,
 84 (2) health and mental health risk reduction education that includes, but
 85 need not be limited to, the prevention of risk-taking behavior by
 86 children and the relationship of such behavior to substance abuse,
 87 pregnancy, sexually transmitted diseases, including HIV-infection and
 88 AIDS, as defined in section 19a-581, violence, teen dating violence,
 89 domestic violence [,] and child abuse, (3) school violence prevention,
 90 conflict resolution, the prevention of and response to youth suicide
 91 and the identification and prevention of and response to bullying, as
 92 defined in subsection (a) of section 10-222d, except that those boards of
 93 education that implement any evidence-based model approach that is
 94 approved by the Department of Education and is consistent with
 95 subsection (c) of section 10-145a, sections 10-222d, 10-222g and 10-
 96 222h, subsection (g) of section 10-233c and sections 1 and 3 of public
 97 act 08-160, shall not be required to provide in-service training on the
 98 identification and prevention of and response to bullying, (4)
 99 cardiopulmonary resuscitation and other emergency life saving
 100 procedures, (5) the requirements and obligations of a mandated
 101 reporter, and (6) the detection and recognition of, and evidence-based
 102 structured literacy interventions for, students with dyslexia, as defined
 103 in section 10-3d. Each local [and] or regional board of education may
 104 allow any paraprofessional or noncertified employee to participate, on
 105 a voluntary basis, in any in-service training program provided
 106 pursuant to this section.

107 Sec. 7. Subsection (a) of section 10-235 of the 2018 supplement to the
 108 general statutes is repealed and the following is substituted in lieu
 109 thereof (*Effective from passage*):

110 (a) Each board of education shall protect and save harmless any
111 member of such board or any teacher or other employee thereof or any
112 member of its supervisory or administrative staff, and the State Board
113 of Education, the Board of Regents for Higher Education, the board of
114 trustees of each state institution and each state agency which employs
115 any teacher, and the managing board of any public school, as defined
116 in section 10-183b, including the governing council of any charter
117 school, shall protect and save harmless any member of such boards, or
118 any teacher or other employee thereof or any member of its
119 supervisory or administrative staff employed by it, from financial loss
120 and expense, including legal fees and costs, if any, arising out of any
121 claim, demand, suit or judgment by reason of alleged negligence or
122 other act resulting in accidental bodily injury to or death of any
123 person, or in accidental damage to or destruction of property, within
124 or without the school building, or any other acts, including, but not
125 limited to, infringement of any person's civil rights, resulting in any
126 injury, which acts are not wanton, reckless or malicious, provided such
127 teacher, member or employee, at the time of the acts resulting in such
128 injury, damage or destruction, was acting in the discharge of his or her
129 duties or within the scope of employment or under the direction of
130 such board of education, the Board of Regents for Higher Education,
131 board of trustees, state agency, department or managing board;
132 provided that the provisions of this section shall not limit or otherwise
133 affect application of section 4-165 concerning immunity from personal
134 liability. For the purposes of this section, the terms "teacher" and "other
135 employee" [shall] include (1) any person who is a cooperating teacher
136 pursuant to section 10-220a, teacher mentor or reviewer, (2) any
137 student teacher doing practice teaching under the direction of a teacher
138 employed by a local or regional board of education or by the State
139 Board of Education or Board of Regents for Higher Education, (3) any
140 student enrolled in a technical education and career school who is
141 engaged in a supervised health-related field placement program which
142 constitutes all or part of a course of instruction for credit by a technical
143 education and career school, provided such health-related field

144 placement program is part of the curriculum of such technical
 145 education and career school, and provided further such course is a
 146 requirement for graduation or professional licensure or certification,
 147 (4) any volunteer approved by a board of education to carry out a duty
 148 prescribed by said board and under the direction of a certificated staff
 149 member including any person, partnership, limited liability company
 150 or corporation providing students with community-based career
 151 education, (5) any volunteer approved by a board of education to carry
 152 out the duties of a school bus safety monitor as prescribed by said
 153 board, (6) any member of the faculty or staff or any student employed
 154 by The University of Connecticut Health Center or health services, (7)
 155 any student enrolled in a constituent unit of the state system of higher
 156 education who is engaged in a supervised program of field work or
 157 clinical practice which constitutes all or part of a course of instruction
 158 for credit by a constituent unit, provided such course of instruction is
 159 part of the curriculum of a constituent unit, and provided further such
 160 course [(i)] (A) is a requirement for an academic degree or professional
 161 licensure or [(ii)] (B) is offered by the constituent unit in partial
 162 fulfillment of its accreditation obligations, and (8) any student enrolled
 163 in a constituent unit of the state system of higher education who is
 164 acting in the capacity of a member of a student discipline committee
 165 established pursuant to section 4-188a.

166 Sec. 8. Subdivision (42) of section 10-262f of the 2018 supplement to
 167 the general statutes is repealed and the following is substituted in lieu
 168 thereof (*Effective from passage*):

169 (42) "Equalized net grand list adjustment factor" means (A) for the
 170 fiscal years prior to the fiscal year ending June 30, 2018, the ratio of the
 171 town's equalized net [grant] grand list per capita to one and one-half
 172 times the town equalized net grand list per capita of the town with the
 173 median equalized net grand list per capita, and (B) for the fiscal year
 174 ending June 30, 2018, and each fiscal year thereafter, the ratio of the
 175 town's equalized net [grant] grand list per capita to one and thirty-five-
 176 one-hundredths times the town equalized net grand list per capita of

177 the town with the median equalized net grand list per capita.

178 Sec. 9. Subdivision (4) of subsection (a) of section 10-264i of the 2018
179 supplement to the general statutes is repealed and the following is
180 substituted in lieu thereof (*Effective from passage*):

181 (4) In addition to the grants otherwise provided pursuant to this
182 section, the Commissioner of Education may provide supplemental
183 transportation grants to regional educational service centers for the
184 purposes of transportation to interdistrict magnet schools. Any such
185 grant shall be provided within available appropriations and after the
186 commissioner has reviewed and approved the total interdistrict
187 magnet school transportation budget for a regional educational service
188 center, including all revenue and expenditure estimates. For the fiscal
189 years ending June 30, 2013, to June 30, 2017, inclusive, in addition to
190 the grants otherwise provided pursuant to this section, the
191 Commissioner of Education may provide supplemental transportation
192 to interdistrict magnet schools that assist the state in meeting the goals
193 of the 2008 stipulation and order for Milo Sheff, et al. v. William A.
194 O'Neill, et al., as extended, or the goals of the 2013 stipulation and
195 order for Milo Sheff, et al. v. William A. O'Neill, et al., as extended, and
196 for transportation provided by EASTCONN to interdistrict magnet
197 schools. Any such grant shall be provided within available
198 appropriations and upon a comprehensive financial review, by an
199 auditor selected by the Commissioner of Education, the costs of such
200 review may be paid from funds that are part of the supplemental
201 transportation grant. Any such grant shall be paid as follows: For the
202 fiscal year ending June 30, 2013, up to fifty per cent of the grant on or
203 before June 30, 2013, and the balance on or before September 1, 2013,
204 upon completion of the comprehensive financial review; for the fiscal
205 year ending June 30, 2014, up to fifty per cent of the grant on or before
206 June 30, 2014, and the balance on or before September 1, 2014, upon
207 completion of the comprehensive financial review; for the fiscal year
208 ending June 30, 2015, up to fifty per cent of the grant on or before June
209 30, 2015, and the balance on or before September 1, 2015, upon

210 completion of the comprehensive financial review; [and] for the fiscal
211 year ending June 30, 2016, up to fifty per cent of the grant on or before
212 June 30, 2016, and the balance on or before September 1, 2016, upon
213 completion of the comprehensive financial review; and for the fiscal
214 year ending June 30, 2017, up to seventy per cent of the grant on or
215 before June 30, 2017, and the balance on or before May 30, 2018, upon
216 completion of the comprehensive financial review.

217 Sec. 10. Subsection (g) of section 54-82q of the 2018 supplement to
218 the general statutes is repealed and the following is substituted in lieu
219 thereof (*Effective from passage*):

220 (g) If the protected witness is enrolled in a public or private
221 elementary or secondary school, including a technical [high] education
222 and career school, or an institution of higher education, as defined in
223 section 10a-55, the clerk of the court shall, upon the request of the
224 protected witness, send, by facsimile or other means, a copy of such
225 temporary restraining order, or the information contained in any such
226 order, to such school or institution of higher education, the president
227 of any institution of higher education at which the protected witness is
228 enrolled and the special police force established pursuant to section
229 10a-142, if any, at the institution of higher education at which the
230 protected witness is enrolled, if the protected witness provides the
231 clerk with the name and address of such school or institution of higher
232 education.

233 Sec. 11. Subsection (a) of section 54-82r of the 2018 supplement to
234 the general statutes is repealed and the following is substituted in lieu
235 thereof (*Effective from passage*):

236 (a) Upon application of a prosecutorial official, a court may issue a
237 protective order prohibiting the harassment of a witness in a criminal
238 case if the court, after a hearing at which hearsay evidence shall be
239 admissible, finds by a preponderance of the evidence that harassment
240 of an identified witness in a criminal case exists or that such order is

241 necessary to prevent and restrain the commission of a violation of
 242 section 53a-151 or 53a-151a. Any adverse party named in the complaint
 243 has the right to present evidence and cross-examine witnesses at such
 244 hearing. Such order shall be an order of the court, and the clerk of the
 245 court shall cause a certified copy of such order to be sent to the
 246 witness, and a copy of such order, or the information contained in such
 247 order, to be sent by facsimile or other means within forty-eight hours
 248 of its issuance to the appropriate law enforcement agency. If the
 249 protected witness is enrolled in a public or private elementary or
 250 secondary school, including a technical [high] education and career
 251 school, or an institution of higher education, as defined in section 10a-
 252 55, the clerk of the court shall, upon the request of the protected
 253 witness, send, by facsimile or other means, a copy of such protective
 254 order, or the information contained in any such order, to such school
 255 or institution of higher education, the president of any institution of
 256 higher education at which the protected witness is enrolled and the
 257 special police force established pursuant to section 10a-142, if any, at
 258 the institution of higher education at which the protected witness is
 259 enrolled, if the protected witness provides the clerk with the name and
 260 address of such school or institution of higher education.

261 Sec. 12. Subsection (a) of section 10-95h of the 2018 supplement to
 262 the general statutes is repealed and the following is substituted in lieu
 263 thereof (*Effective from passage*):

264 (a) Not later than November thirtieth each year, the joint standing
 265 committees of the General Assembly having cognizance of matters
 266 relating to education, higher education and employment advancement
 267 and labor shall meet with the chairperson of the Technical Education
 268 and Career System board and the superintendent of the Technical
 269 Education and Career System, the Labor Commissioner [, the
 270 Commissioner of Economic and Community Development] and such
 271 other persons as they deem appropriate to consider the items
 272 submitted pursuant to subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	10-16p(b)(4)
Sec. 2	<i>from passage</i>	10-76pp(b)
Sec. 3	<i>July 1, 2018</i>	10-145t(a)
Sec. 4	<i>from passage</i>	10-151d(a)
Sec. 5	<i>from passage</i>	10-206(f)
Sec. 6	<i>from passage</i>	10-220a(a)
Sec. 7	<i>from passage</i>	10-235(a)
Sec. 8	<i>from passage</i>	10-262f(42)
Sec. 9	<i>from passage</i>	10-264i(a)(4)
Sec. 10	<i>from passage</i>	54-82q(g)
Sec. 11	<i>from passage</i>	54-82r(a)
Sec. 12	<i>from passage</i>	10-95h(a)

Statement of Purpose:

To make technical revisions to the education and early childhood statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]